

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)

V.)

SHERRY DIANE PETTIS)

2006 OCT 16 A 9:57

DEBRA P. HACKETT, CLK

U.S. DISTRICT COURT

MIDDLE DISTRICT ALA

CASE NO. 2:06-cr-018-W

AFFIDAVIT

STATE OF ALABAMA)

COUNTY OF MONTGOMERY)

I, CHRISTINE A. FREEMAN, state the following:

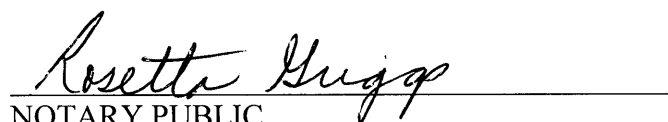
1. I am employed as Executive Director of the Federal Defender Program for the Middle District of Alabama.
2. On Friday, October 13, 2006 at approximately 4:00 p.m., I received approximately 84 juror questionnaires submitted by the members of the jury venire in this case.
3. A review of these questionnaires indicates there is Constitutionally and statutorily improper disparity between the number of African-Americans over the age of 18 that live within the judicial circuit and are registered to vote, served by this Court and the number of African-Americans represented within the Grand and Petit jury venire.
4. My initial research indicates that within the judicial district served by the United States District Court for the Middle District of Alabama, the percentage of African-Americans over the age of 18 registered to vote in the district is approximately 31%.
5. The jury venire in this case is composed of approximately 17% African Americans.

6. The approximate 14% under-representation of African Americans on the jury venire violates the Jury Selection and Service Act, 18 U.S.C. §1861 et seq, and the Defendant's Sixth and Fifth Amendments rights to trial by an impartial jury representing a fair cross section of the community and the guarantee of due process.

This 16th day of October 2006.


CHRISTINE A. FREEMAN
TN BAR NO.: 11892

The foregoing was sworn to and subscribed before me this 16th day of October 2006, by a person known to me to be Christine A. Freeman.


NOTARY PUBLIC
My Commission expires: 11-06-07